

**IN THE UNITED STATES DISTRICT COURT**  
**FOR THE DISTRICT OF NEW MEXICO**

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JOAN PAUL HIX,  
(F.K.A. JOHN PAUL HIX)

Plaintiff,

v.

No. 1:24-cv-00175-KWR-JFR

SKS DEVELOPMENT LLC d/b/a  
BEST WESTERN PLUS MONTEZUMA INN & SUITES;  
TROY DENISON, in his official capacity;  
DEBBIE COCA, in her individual and official capacities

Defendants.

**MEMORANDUM OPINION AND ORDER**

THIS MATTER comes before the Court upon Plaintiff's Motion for Clarification Re: Memorandum Opinion and Order. Doc. 38. Having reviewed the parties' pleadings and applicable law, the Court finds that Plaintiff's Motion is well-taken, and therefore, is **GRANTED**.

Following this Court's orders reserving ruling on Defendants' Motions to Dismiss, this Court notified the parties of its intent to covert these motions to motions for summary judgment under Rule 12(d). Accordingly, this Court invited the parties to file supplemental filings within fourteen days. Docs. 37 and 38. Plaintiff argues Defendants listed their statements of undisputed material facts, which it was unable to respond and address, before filing by Defendants. Doc. 41. Plaintiff requests the ability to respond to and address Defendants' Responses, new arguments, and evidence, and clarification as to whether Plaintiff will be afforded the standard time to address both pleadings as required under D.N.M.LR-Civ. 7.4(a). Therefore, Plaintiff asks for this Court to grant her a supplemental pleadings deadline of June 27, 2024. *Id.*

D.N.M.LR-Civ 7.4(a) states, “[a] response must be served and filed within fourteen (14) days after service of the motion...These time periods are computed in accordance with FED. R. CIV. P. 6(a) and (d) and may be extended by agreement of all parties. For each agreed extension, the party requesting the extension must file a notice identifying the new deadline and the document (response or reply) to be filed. If an extension of time is opposed, the party seeking the extension must file a separate motion within the applicable fourteen (14) day period. An extension of briefing time must not interfere with established case management deadlines.” Accordingly, this Court finds an additional fourteen days is appropriate to Respond to Defendants’ supplemental pleadings.

**IT IS THEREFORE ORDERED** for the reasons stated above that Plaintiff’s Motion for Clarification (Doc. 41) is **GRANTED**. Plaintiff must file her Responses to Defendants’ Briefs (Docs. 39 and 40) no later than **June 27, 2024**.

/S/  
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KEA W. RIGGS  
UNITED STATES DISTRICT JUDGE